

1 BARRY J. PORTMAN
Federal Public Defender
2 ELIZABETH M. FALK
Assistant Federal Public Defender
3 19th Floor Federal Building – Box 36106
450 Golden Gate Avenue
4 San Francisco, CA 94102
Telephone: (415) 436-7700

5 Counsel for Defendant CRAYTON

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7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,)	No. CR-07-803 MMC
)	
12 Plaintiff,)	
)	STIPULATION AND PROPOSED
13 vs.)	ORDER TO CONTINUE SENTENCING
)	DATE
14 LAWRENCE CRAYTON,)	
)	Date: June 11, 2008
15 Defendant.)	Time: 2:30 p.m.
)	Court: The Honorable Maxine M. Chesney
16)	

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18 Undersigned counsel stipulate as follows:

- 19 1. Sentencing in this matter is currently set for June 11, 2008, at 2:30 p.m.;
- 20 2. Mr. Crayton entered an open plea before this Court on March 5, 2008. Defense
- 21 counsel needs more time to review the documents associated with loss amount in
- 22 this matter, which the Probation Department has set at \$239,000. Government
- 23 counsel submitted a spreadsheet to both defense counsel and the Probation Officer
- 24 calculating loss. The government's loss amount is supported by over 2,000
- 25 documents associated with the false service vouchers issued by Mr. Crayton while
- 26 he was employed at Amtrak. Defense counsel believes that some of these

vouchers should not be included in the loss amount, and she needs more time to review the individual vouchers to make this determination;

3. Defense counsel also needs to finalize her loss assessment prior to filing a final objection letter with the Probation Department for the Presentence Report;

4. Defense counsel requests a continuance of the sentencing for these purposes;

5. Government counsel has no opposition to the request for a continuance of the sentencing date for these purpose;

6. Defense counsel has conferred with the Probation Officer assigned to this matter, Cris Carruba. Ms. Carruba is not available for Mr. Crayton's sentencing on any date in June. Given the July 4th holiday, the parties have agreed to request a sentencing date of July 16, 2008 at 2:30 p.m.;

7. USPO Cris Carruba has been contacted by defense counsel, and has no objection to a continuance of the sentencing date to July 16, 2008 at 2:30 p.m. She requests the Court to further order that the Final Presentence Report in this matter is not due until July 2, 2008, which will allow defense counsel sufficient time to submit final objections to the draft Presentence Report.

IT IS SO STIPULATED

Dated: May 27, 2008

/S/
ELIZABETH M. FALK
Assistant Federal Public Defender

Dated: May 27, 2008

/S/
CHRISTINA HUA
Assistant United States Attorney

~~PROPOSED~~ ORDER

GOOD CAUSE APPEARING, it is hereby ORDERED that the sentencing date in the

1 aforementioned matter currently set for June 11, 2008, is ~~vacated. The sentence date shall be~~
2 continued to July 16, 2008 at 2:30 p.m. The Final Presentence Report is due to this Court no
3 later than July 2, 2008.

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5 **IT IS SO ORDERED.**

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7 Dated: May 28, 2008


THE HONORABLE MAXINE M. CHESNEY
UNITED STATES DISTRICT JUDGE